

103^D CONGRESS
1ST SESSION

S. 1164

To amend section 2119 of title 18, United States Code, to authorize imposition of the death penalty if death results from a carjacking, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 25 (legislative day, JUNE 22), 1993

Mr. MACK introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend section 2119 of title 18, United States Code, to authorize imposition of the death penalty if death results from a carjacking, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FEDERAL PENALTIES FOR AUTOMOBILE ROB-**
4 **BERY.**

5 Section 2119 of title 18, United States Code, is
6 amended to read as follows:

7 “(a) DEFINITION.—In this section, ‘covered motor
8 vehicle’ means a motor vehicle that has been transported,
9 shipped, or received in interstate or foreign commerce.

1 “(b) OFFENSES.—A person who, while in possession
2 of a firearm (as defined in section 921) or other weapon
3 or dangerous device—

4 “(1) intentionally strikes or otherwise makes
5 physical contact with a covered motor vehicle with a
6 motor vehicle operated by the person, with any other
7 thing, or with any part of the person’s body, in one
8 of the circumstances described in subsection (c); or

9 “(2) takes a covered motor vehicle from the
10 person or presence of another by force and violence
11 or by intimidation, or attempts to do so,
12 shall be punished under subsection (d).

13 “(c) CIRCUMSTANCES IN WHICH OFFENSE OC-
14 CURS.—The circumstances referred to in subsection (b)(1)
15 are that—

16 “(1) the person makes the contact with the in-
17 tent to injure an occupant of the motor vehicle or to
18 take or cause damage to the motor vehicle or any-
19 thing in the motor vehicle; or

20 “(2) in the course of events immediately follow-
21 ing the contact, an occupant of the motor vehicle is
22 injured or the motor vehicle or anything in it is
23 taken or damaged.

24 “(d) PENALTIES.—A person who violates subsection
25 (b) shall—

1 “(1) be fined under this title or imprisoned not
2 more than 15 years, or both;

3 “(2) if serious bodily injury (as defined in sec-
4 tion 1365) results, be fined under this title or im-
5 prisoned not more than 25 years, or both; and

6 “(3) if death results, be fined under this title
7 or imprisoned for any number of years up to life, or
8 both, or sentenced to death.”.

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